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RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 95-089

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]

2. Form, Style and Placement in Administrative Code

In s. HSS 133.02 (6g), the notation “(6g)” should be changed to “(6m),” which is the correct lettering when inserting a single subsection between two existing ones. [See s. 1.03 (7), Manual.]

5. Clarity, Grammar, Punctuation and Use of Plain Language

Section HSS 133.02 (6g) defines “net income” as the total home health agency revenues minus total expenses as reported on the most recent home health agency license renewal application (emphasis added). Section HSS 133.03 (6) (b) requires that the renewal application be accompanied by a fee of 3% of the agency’s annual net income based on the agency’s most recent annual fiscal report... (emphasis added). Current s. HSS 133.03 (6) (c) requires that the agency file an annual fiscal report with its renewal application. To avoid the possible interpretation that the net income information required to be reported on the renewal application by s. HSS 133.02 (6g) is different from the net income information in the annual fiscal report under s. HSS 133.03 (6) (b), it is suggested that the definition of “net income” be modified to provide that it is the revenues minus expenses as reported in the agency’s annual fiscal report under s. HSS 133.03 (6) (c).